

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

JASON SHERWOOD,

Plaintiff,

v.

Civil Action No. **3:23CV250**

KEN STOLLE, et.al,


Defendants.

MEMORANDUM OPINION

By Memorandum Order entered on April 12, 2023, the Court filed this action.¹ By Memorandum Order entered on May 1, 2023, the Court waived the initial partial filing fee and filed the action. On July 10, 2023, the United States Postal Service returned the May 1, 2023, Memorandum Order to the Court marked, "RETURN TO SENDER," and "NOT HERE." (ECF No. 4, at 1.) Plaintiff has not contacted the Court to provide a current address. Plaintiff's failure to contact the Court and provide a current address indicates his lack of interest in prosecuting this action. *See* Fed. R. Civ. P. 41(b). Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall accompany this Memorandum Opinion.

Date: 12 July 2023
Richmond, Virginia

<p>/s/  John A. Gibney, Jr. Senior United States District Judge</p>
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¹ In *Sherwood v. Stolle*, No. 3:23CV84, the Court directed Plaintiff to complete and return an *in forma pauperis* affidavit form and a consent to collection of fees form within thirty days. Because Plaintiff failed to return either form, by Memorandum Opinion and Order entered on March 27, 2023, the Court dismissed the action. On April 3, 2023, the Court received a completed consent to collection of fees form and an *in forma pauperis* affidavit. Because Plaintiff returned the forms, it appeared that Plaintiff desired to continue to pursue his claims. The Court directed the Clerk to refile Plaintiff's Complaint as a new civil action. This is the new action.